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## REMARKS/DISCUSSION OF ISSUES

By this Amendment, Applicants cancel claim 22 without disclaimer of the underlying subject matter or prejudice against future prosecution. Applicants also amend claims 1, 10, 13-16 and 18-21, and add new claims 24-27. Accordingly, claims 1-8, 10-16, 18-21, and 24-27 are pending in the application.

In particular, Applicants add new independent claim 24 – which corresponds to the originally-filed claim 1 – and rewrite claim 1 to depend from new claim 24. Therefore, **claim 1 has the exact same scope that it had prior to this amendment** (and corresponds to the originally-filed claim 9). Applicants also amend independent claims 10 and 18 to omit the features pertaining to the staleness of the configuration data, and add new dependent claims 25 and 26 to recite those features.

Reexamination and reconsideration are respectfully requested in view of the following Remarks.

## 35 U.S.C. § 103

The Office Action rejects claims 1-8, 10-16 and 18-22 under 35 U.S.C. § 103 over Vandermeijden U.S. Patent 6,804,524 ("Vandermeijden").

Applicants respectfully traverse those rejections for at least the following reasons.

Claim 1

Among other things, in the measurement/control system of claim 1, a set of distributed devices each include means for determining a relative staleness of a set of configuration data stored in the distributed devices.

Applicants respectfully submit that Vandermeijden does not disclose any measurement/control system wherein a set of distributed devices each include means for determining a relative staleness of a set of configuration data stored in the distributed devices.

The Office Actions states that Vandermeijden discloses this feature in col. 3, lines 53-67, col. 4, lines 1-19, col. 9, lines 35-40 and col. 10, lines 9-19.

Applicants respectfully disagree.

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Applicants respectfully submit that the only stale data disclosed by Vandermeijden in the cited text is data that is stored in auto traffic database 150 at the server 160 – not any data stored in the "distributed devices" within automobiles 120-129 (or wireless towers 101-109 in case the Examiner is considering these to correspond to the recited "distributed devices" since, unfortunately, the Examiner neglects to specifically identify what if anything she considers to correspond to the recited "distributed devices" of claim 1). In contrast, please note that claim 1 recites that the **distributed devices themselves each include the means for determining a relative staleness** of a set of configuration data stored in the distributed devices.

Furthermore, the stale data disclosed by Vandermeijden in the cited text is actual measurement data pertaining to the automobile traffic, not any **configuration data** for configuring the distributed devices, as recited in claim 1.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 1 is patentable over Vandermeijden.

Claims 2-8

Claims 2-8 depend from claim 1 and are deemed patentable for at least the reason set forth above with respect to claim 1.

Claim 10

Among other things, the method of claim 10 includes providing to one or more of the distributed devices, via communication subsystems of the one or more distributed devices, a set of configuration data that configures the one or more distributed devices for performing a measurement/control function; and diffusing the provided configuration data among the distributed devices.

Applicants respectfully submit that Vandermeijden does not disclose any method that includes this combination of features.

The Office Action states that Vandermeijden discloses a traffic server storing configuration data for the mobile devices.

Applicants respectfully disagree.

Applicants respectfully submit that Vandermeijden discloses auto traffic server 160 and associated auto traffic database 150 store measurement data gathered by

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the mobile data device, such as velocity vectors, GPS coordinates, received signal strength values, etc. Applicants respectfully submit that <u>Vandermeijden</u> does **not** disclose that the auto traffic server 160 and associated auto traffic database 150 store any configuration data that configures the one or more distributed devices for performing a measurement/control function.

Furthermore, as noted above, claim 10 actually recites providing to one or more of the distributed devices, via communication subsystems of the one or more distributed devices, a set of configuration data that configures the one or more distributed devices for performing a measurement/control function.

Applicants respectfully submit that <u>Vandermeijden</u>'s auto traffic server 160 and associated auto traffic database 150 do **not** provide to any distributed devices, via communication subsystems of the distributed devices, a set of configuration data that configures the one or more distributed devices for performing a measurement/control function.

The Office Action also states that <u>Vandermeijden</u> discloses diffusing configuration data among the distributed devices.

Applicants respectfully disagree.

Applicants respectfully submit that <u>Vandermeijden</u> does not disclose diffusing among any distributed devices any configuration data that is provided to one or more of the distributed devices, via communication subsystems of the one or more distributed devices.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 10 is patentable over <u>Vandermeijden</u>.

<u>Claims 11-16</u>

Claims 11-16 depend from claim 10 and are deemed patentable for at least the reason set forth above with respect to claim 10.

<u>Claim 18</u>

Among other things, the device of claim 18 includes means for obtaining from a remotely-located configuration data source a set of configuration data that configures a second device, spaced apart from the first device, for performing a

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measurement/control function; and means for diffusing the configuration data from the first device to the second device.

Applicants respectfully submit that <u>Vandermeijden</u> 's auto traffic server 160 and associated auto traffic database 150 do **not** provide to any distributed device, a set of configuration data that configures a second device, spaced apart from the first device, for performing a measurement/control function.

Applicants also respectfully submit that <u>Vandermeijden</u> 's mobile devices do not diffuse any configuration data from one mobile device to another.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 18 is patentable over <u>Vandermeijden</u>.

<u>Claims 19-21</u>

Claims 19-21 depend from claim 18 and are deemed patentable for at least the reason set forth above with respect to claim 18.


**<u>NEW CLAIMS 24-27</u>**

New claims 24-27 are deemed patentable over <u>Vandermeijden</u> for at least the following reasons.

<u>Claim 24</u>

Among other things, the measurement/control system of claim 24 includes a configuration data source that provides a set of configuration data that specifies a measurement/control function.

Applicants respectfully submit that <u>Vandermeijden</u> does not disclose any such configuration data source that provides a set of configuration data that specifies a measurement/control function.  In particular, Applicants respectfully submit that <u>Vandermeijden</u>'s auto traffic server 160 and associated auto traffic database 150 do not provide a set of **configuration data** that specifies a measurement/control function.

Also among other things, the measurement/control system of claim 24 includes a set of distributed devices each having means for obtaining the configuration data from the configuration data source, and means for diffusing the

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configuration data among the distributed devices.

Applicants respectfully submit that <u>Vandermeijden</u> does not disclose that its mobile devices obtain configuration data from a configuration data source, or that they include means for diffusing the configuration data among the mobile devices.

Accordingly, for at least these reasons, Applicants respectfully submit that claim 24 is patentable over <u>Vandermeijden</u>.

<u>Claims 25-27</u>

Claims 25-27 depend variously from claims 10 and 18 and are deemed to be patentable over <u>Vandermeijden</u> for at least the reasons set forth above with respect to claims 10 and 18.

## CONCLUSION

In view of the foregoing explanations, Applicants respectfully request that the Examiner reconsider and reexamine the present application, allow claims 1-8, 10-16, 18-21, and 24-27 and pass the application to issue. In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Kenneth D. Springer (Reg. No. 39,843) at (571) 283.0720 to discuss these matters.

Respectfully submitted,

VOLENTINE & WHITT

Date:  3 February 2009            By: _____
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